

United States Bankruptcy Court  
Eastern District of Texas  
Sherman Division

**In re:**  
**Empire Countertops, LLC**  
1137 Enterprise Dr.  
Pilot Point, TX 76258  
EIN: 45-1145076

**Debtor**

*Motion to Use Cash Collateral*

**Case No. 22-41686-btr**

**Chapter 11**

**Expedited Hearing Scheduled:  
Thursday, December 15, 2022 at 11:00am.**

**A contested matter**

**EXHIBIT LIST OF EMPIRE COUNTERTOPS, LLC**

<b>Exhibit</b>	<b>Description of Exhibit</b>	<b>Offered</b>	<b>Objection</b>	<b>Admitted</b>
1.	<i>Revised 30-Day Budget (December 2022)</i>			
2.	Emergency Expenses			
3.	List of Debtor's Balance Sheet			
4.	Projection of Revenue Over 6 Months			
5.	UCC Lien Claimants			
6.	Wells Fargo DIP Account Information			
7.	Postpetition Payroll Expenses			
8.	Any item filed of record in this proceeding			
9.	Any exhibit introduced by any other party			

**WITNESS LIST**

1. Curtis "Mitch" Mahoney, Debtor's Representative
2. Scott Laine, Debtor's Controller
3. Any witness called or listed on opposing counsel's list.

The Debtor reserves the right to use any exhibit introduced into evidence by any other party, to introduce and use any document that has been filed in this bankruptcy proceeding, to use any witness or exhibit not listed herein for purposes of rebuttal or impeachment, and to supplement or amend this witness and exhibit list at any time prior to the hearing.

DATED: December 14, 2022.

Respectfully submitted:

NORRED LAW, PLLC

By: /s/ Clayton L. Everett  
Clayton L. Everett  
Texas State Bar No. 24065212  
[clayton@norredlaw.com](mailto:clayton@norredlaw.com)  
515 E. Border Street  
Arlington, Texas 76010  
Telephone: (817) 704-3984  
Proposed Counsel for Debtor

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the Debtor's Witness Exhibit List was served on the Office of the U.S. Trustee and upon the parties receiving notice via the Court's CM/ECF system. A copy will also be served by US Mail on the Debtor's matrix as well as the parties below:

Newtek Finance  
c/o Patrick Appleton  
4800 T-Rex Ave., Ste. 110  
Boca Raton, FL 33431

Eagle Eye Advance LLC  
254 36<sup>th</sup> Street, Ste. C303  
Brooklyn, NY 11232

Jeremy S. Williams  
901 East Byrd Street, Suite 1000  
Richmond, Virginia 23219  
Via: [jeremy.williams@kutakrock.com](mailto:jeremy.williams@kutakrock.com)  
Counsel for Eagle Eye Advance LLC

BTH Bank / Origins  
c/o Michael Slesinger  
5001 El Campo Avenue  
Fort Worth, TX 76107

340 Broadway Holdings LLC  
1560 Sawgrass Corp. Pkwy. Ste.474  
Fort Lauderdale, FL 33323

W.J. Wade, Jr.  
2112 Indiana Avenue  
Lubbock, TX 79410  
*Counsel for 340 Broadway Holdings LLC*

The LCF Group, Inc.  
3000 Marcus Ave. Suite 2W15  
New Hyde Park, NY 11042

Merchant Advance LLC  
1621 Central Avenue  
Cheyenne, WY 82001

David Fogel, P.C  
1225 Franklin Avenue 522  
Garden City, NY 11530  
*Counsel for Merchant Advance LLC*

Gulf Coast Bank and Trust Company  
1170 Celebration Blvd, Ste. 100  
Kissimmee, FL 34747-4604

By: /s/ Clayton L. Everett